

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DARRON McGLOTHIN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

CTI BIOPHARMA CORP., JAMES A.
BIANCO, and LOUIS A BIANCO,

Defendants.

No. C16-216RSL

CLASS ACTION

WILLIAM AHRENS, et al.

Plaintiffs,

v.

CTI BIOPHARMA CORP, et al.,

Defendants.

No. C16-796RSL

CLASS ACTION

**STIPULATION AND ORDER CONSOLIDATING
CASES FOR ALL PURPOSES**

1 Plaintiffs William Ahrens, Penelope Ahrens, and Darron McGlothlin (“Plaintiffs”), and
2 Lead Plaintiff movant DAFNA LifeScience, LP and DAFNA LifeScience Select, LP
3 (“DAFNA”), hereby stipulate and agree to the following:

4 1. WHEREAS, on February 10, 2016, Plaintiffs William Ahrens and Penelope
5 Ahrens filed a securities class action in the United States District Court for the Southern District
6 of New York against Defendants CTI BioPharma Corp. (“CTI”), James A. Bianco, Louis A.
7 Bianco, Bruce J. Seeley, Jack W. Singer, Phillip M. Nudelman, John H. Bauer, Karen Ignagni,
8 Richard L. Love, Mary O. Mundinger, Frederick W. Telling, and Reed V. Tuckson
9 (“Defendants”), *Ahrens v. CTI BioPharma Corp.*, No. 1:16-cv-01044-PAE (“*Ahrens*”);

10 2. WHEREAS, on February 12, 2016, Plaintiff Darron McGlothlin filed a
11 substantially identical securities class action in the Western District of Washington against the
12 Defendants, *McGlothlin v. CTI BioPharma Corp.*, 2:16-cv-00216-RSL (“*McGlothlin*”);

13 3. WHEREAS, on May 19, 2016, the United States District Court for the Southern
14 District of New York granted Defendants’ unopposed motion to transfer *Ahrens* to the Western
15 District of Washington and denied without prejudice the then-pending motions in *Ahrens* for
16 appointment as lead plaintiff (ECF No. 49);

17 4. WHEREAS, *Ahrens* is now maintained in the Western District of Washington as
18 *Ahrens v. CTI BioPharma Corp.*, 2:16-cv-00796-JPD;

19 5. WHEREAS, the complaints filed in *Ahrens* and *McGlothlin* are substantially
20 identical; both actions are subject to the Private Securities Litigation Reform Act of 1995
21 (“PSLRA”), allege the same claims under the Securities Act of 1933 and the Securities Exchange
22 Act of 1934, name the same Defendants, arise out of the same alleged misstatements and
23 omissions regarding CTI’s financial outlook and the drug “pacritinib,” and seek alleged damages
24 on behalf of purchasers of CTI securities during the same period of time;

25 6. WHEREAS, on April 11, 2016, DAFNA and two other movants filed motions for
26 appointment as Lead Plaintiff in the *McGlothlin* Action. Two additional movants filed notice in

the *McGlothin* Action of their motions for appointment as Lead Plaintiff in the *Ahrens* Action. See *McGlothin*, ECF Nos. 4, 5, 7, 8, and 10.

7. WHEREAS, the PSLRA provides that the Court shall first decide on consolidation before appointing the lead plaintiff. 15 U.S.C. § 78u-4(a)(3)(B)(ii);

8. WHEREAS, Defendants do not object to this consolidation motion;

NOW THEREFORE, SUBJECT TO THIS COURT'S APPROVAL, PLAINTIFFS IN MCGLOTHIN AND AHRENS AND LEAD PLAINTIFF MOVANT DAFNA STIPULATE AND AGREE AS FOLLOWS:

9. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the above-captioned actions, and any other pending, subsequently filed, removed, or transferred securities class actions that are related to the claims asserted in the above-captioned actions, should be consolidated for all purposes.

10. The consolidated action shall be maintained under Master File No. 2:16-cv-00216-RSL with the following caption:

IN RE CTI BIOPHARMA CORP. SECURITIES LITIGATION	Case No. C16-216RSL Hon. Robert S. Lasnik CLASS ACTION
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11. Following the Court's Order appointing the Lead Plaintiff, counsel for the Lead Plaintiff and counsel for Defendants shall promptly confer to propose a schedule for submission of a consolidated complaint and for resolution of any motions to dismiss.

DATED: June 3, 2016

Respectfully Submitted,

/s/ David R. Stickney

David R. Stickney

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

STIPULATION AND ORDER CONSOLIDATING
CASES FOR ALL PURPOSES
(Case No. 2:16-cv-00216-RSL)

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/s/ Roger M. Townsend

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*Local Counsel for Lead Plaintiff Movants DAFNA
LifeScience, LP and DAFNA LifeScience Select, LP*

19 DATED: June 3, 2016

/s/ Lesley F. Portnoy

Lesley F. Portnoy

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Counsel for Plaintiffs William and Penelope Ahrens

1 DATED: June 3, 2016

/s/ *Jeremy Lieberman*

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21 *Counsel for Plaintiff Darron McGlothlin*

22
23 **IT IS SO ORDERED**

24 Dated: June 13, 2016.

25 

26 Robert S. Lasnik

United States District Judge

STIPULATION AND ORDER CONSOLIDATING
CASES FOR ALL PURPOSES
(Case No. 2:16-cv-00216-RSL)